

INTRODUCTION AND ACKNOWLEDGMENTS

In 1994, the District Court issued a comprehensive and far reaching protocol for handling domestic violence cases throughout New Hampshire. Spawned by the growing caseload and need for consistency in handling these cases, the protocol became the first comprehensive, multi-disciplinary set of guidelines for addressing domestic violence in New Hampshire. The protocols have been reprinted and distributed to hundreds upon hundreds of professionals throughout the State. They have received special recognition by the United States Department of Justice and the National Council of Juvenile and Family Court Judges, and have been used as models in states around the country.

In the eight years that have transpired, RSA 173-B (our Protection of Persons From Domestic Violence Statute) has changed significantly, as have federal laws regarding such issues as the interstate enforcement of protection orders. The New Hampshire Supreme Court has also begun to develop a body of caselaw on domestic violence. Annually, the District and Family Division Courts are now hearing approximately 8,000 domestic violence cases. Thus, we thought it both timely and necessary to reconvene a working group to revise and update the original protocols.

These new protocols are the result of an 18 month project involving 40 judges, clerks, attorneys (prosecutors and defense attorneys), psychologists, members of law enforcement, and visitation center representatives, as well as representatives from the U.S. Attorney's Office and the Bureau of Alcohol, Tobacco and Firearms. This project could not have been completed without their commitment of time and expertise. Their names are listed on the Advisory Committee list following. We would be remiss if we did not mention a few persons who functioned in an "Executive Committee" capacity, and who attended countless meetings and spent hours drafting and proofing chapters. Attorney Alan Cronheim, Linda Griebisch, Dr. Scott Hampton, Attorney Ann Rice, Lynda Ruel and Lauren Thorn deserve far more recognition than we can give; we are truly indebted for their commitment of time and expertise. Producing a manual such as this cannot happen without administrative assistance. We greatly appreciate the assistance of Diane Hufstader, Janice Boynton and Marjorie Therrien of Judge Kelly's Office in Concord. A very special note of thanks is extended to Lesley Frame, Administrative Assistant for the Greenbook Project, who typed seemingly endless drafts until it became the document presented here. Her boundless energy, patience and good humor are so very much appreciated.

Throughout this process we have sought to maintain the delicate balance of constitutional safeguards so fundamental to our system of justice, for in the end, it is this proper balance which is the hallmark of our system of government. These protocols, we hope, will be viewed and used by judges and court personnel as a "best practices" manual. We recognize that not every scenario could be contemplated, and that the facts of each individual case must guide the judge through the decision making process. We hope the protocols will be helpful in understanding and applying the law. As always, the reader's comments and suggestions are most welcome.

NEW HAMPSHIRE DISTRICT COURT DOMESTIC VIOLENCE PROTOCOL

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Page 2

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